



United States Department of the Interior

BUREAU OF LAND MANAGEMENT FILLMORE FIELD OFFICE

35 East 500 North
Fillmore, UT 84631
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MAR 15 2001

**DIVISION OF
OIL, GAS AND MINING**

In Reply Refer to:

3800

(UT-010)

UTU-070681

UMC # 354806

UMC # 365013

UMC # 354805

UMC # 367651

UMC # 354807

March 13, 2001

CERTIFIED MAIL # 7099 3220 0002 6774 6129
RETURN RECEIPT REQUESTED

DALE ROGERS
3529 E GREEN HILLS DRIVE
SANDY UT 84093

Dear Mr. Rogers:

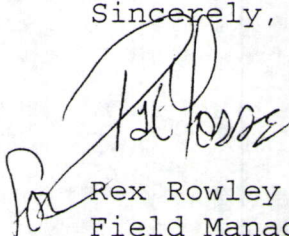
A surface compliance inspection was completed at the site of your notice on February 21, 2001. During the inspection, it was determined that the site covered by your notice, as well as the road leading to it, had been recently worked with heavy equipment and that use of explosives had also been undertaken. A review of the file covering your operation indicates that the original notice filed with this office permits the use of hand tools only. The file also indicates that mechanized equipment has been used in the past and that the disturbance related to your operation had exceeded five acres. You were required to file a Plan of Operations (Plan) which was received May 25, 1993. You were subsequently notified that your Plan was incomplete and asked to submit additional information. To date, this information has not been received. Therefore, you are considered to be operating under the Notice to Conduct Mining Operations which was received in this office September 6, 1991.

On January 20, 2001, the Surface Protection Regulations 43 CFR subpart 3809 were amended. By operating outside of your notice (operation by means other than hand tools) you are in

violation of the new regulations. In order to come back into compliance with the regulations, it will be necessary for you to file an up to date and complete Plan. I have included the requirements for filing a Plan with this letter. I have also included a copy of the Utah Division of Oil, Gas & Mining Large Mine Plan form which, when completed, would include most of the information required by the new regulations. Please suspend your operations and submit a Plan for your activity to this office within 30 days. When the Plan is approved, you will be informed when your operations may resume. Failure to comply with this request may result in an Order of Non-Compliance. An Order of Non-Compliance would require you to comply with the request; failure to comply would result in possible civil and or criminal penalties.

If you have any questions or concerns pertaining to this matter, please contact Jerry Mansfield at (435) 743-3125.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Rex Rowley', is written over a horizontal line.

Rex Rowley
Field Manager

Enclosure:

cc: Tom Munson, UDOGM (S/027/033)
Dale Rogers, PO Box 668, Milford, Ut 84751
Paula Gollan, 3529 E. Green Hills Drive, Sandy, Utah 84093